

**Minutes
Newton Planning Commission
January 29, 2013
Council Chambers
City Hall**

The regular meeting of the Newton Planning Commission was held at 7:00 p.m. on December 12, 2012 in the Council Chambers at City Hall.

Members

Present: Ken Simmons, Chairman
Melinda Travis
Donny Setzer
Jim Smith
Mark Stalnaker

Members

Absent: Jim Granny
Stan Gabriel

Staff Present:

Alex Fulbright, AICP, Assistant Planning Director
Sean Hovis, Assistant City Manager/ Planning Director

Item 1: Call to Order

Chairman Simmons called the meeting to order at 7:00 pm.

Item 2: Consideration of Minutes of the March 26, 2013 Meeting

Chairman Simmons asked for consideration of the minutes of the March 26, 2013 meeting. **Chairman Simmons** ruled that the minutes were approved as presented.

Item 3: Public Hearing

Special Use Permit #2013-01 as filed by Eastern Sky Church of God; the Applicant is seeking a Special Use Permit that would allow for a Child Development Center on the property. The subject property is located at 1432 Old Conover Startown Rd. The property is further identified by Catawba County PIN 3730-13-14-2122.

Chairman Simmons recognized Assistant Planning Director Alex Fulbright who reviewed his memo dated March 26, 2013 highlighting the following:

Eastern Sky Church of God is seeking a Special Use Permit to allow them to locate a Child Development Center at 1432 Old Conover Startown Road. This is also the location

of their existing church, Eastern Sky Church of God. The center would have the capacity for 35 children. The site is zoned R-20. It does allow churches as a permitted by use; however, Child Development Centers are a Class A Special Use in the R-20 District, which has to be approved by the Newton City Council. The property is owned by Newstar Community Church of God, which has given Eastern Sky Child Development Center permission to apply for the special use permit.

A Special Use is a use that would not be appropriate generally without special study throughout the zoning district, but which is controlled by the number or size of location or relationship to the neighborhood would promote the public health, safety, and welfare.

The daycare would be co-located within the existing building located 1432 Old Conover Startown Road which is currently used as the location of Eastern Sky Church of God. The Ordinance contains minimum standards for Child Development Centers, which are attached to this memo. The standards for child daycare centers, which are designed to accommodate more than 30 children, should have a minimum lot size of 30,000 square feet. The proposed daycare center could accommodate up to 35 children. The 12.2 acres on which the daycare is proposed to be located exceeds that requirement. The ordinance also requires a fenced outdoor playing area for children. There is already a fenced in play area that will be used and there is space that could be fenced in to provide additional area if needed or required by the State agency that license daycares.

A portion of the Newton-Conover West Loop crosses the subject site. The Newton-Conover West Loop extends from NC 10 West in the Southwest Area to Fairgrove Church Road. The Newton-Conover West Loop will serve traffic that enters the Newton-Conover area from the west, and connect to the North, South, and East. It is listed in the current STIP as an unfunded project. The project number is U-2529. The proposed road is not impacted as a result of the proposed childcare facility plan.

Mr. Fulbright acknowledged that Warren Marcum and Deana Arney were in the audience and that they were present on behalf of the applicant. They confirmed the information presented and clarified the proposed operation as requested.

Chairman Simmons closed the Public Hearing and asked Planning Commission to consider the item. After some discussion, **Donny Setzer** made a motion to recommend that the City Council grant the special use permit as presented. **Jim Smith** seconded the motion; the vote on the motion was unanimous.

Item 4: Old Business

There was no old business.

Item 5: New Business

Item 6: Monthly Reports

Chairman Simmons recognized **Mr. Fulbright**, who reviewed the monthly report and also mentioned the following items which could be on future agendas:

- Technibilt street naming request.
- East 19th Street area rezoning from EM-1 to an appropriate residential district.
- Potential rezoning or text amendment to allow a funeral parlor in Downtown.

Item 7: Adjournment

With no further business, the meeting was adjourned.

Respectfully submitted,

Alex Fulbright, AICP
Recording Secretary

DRAFT